# Appl. No. 10/725,826 Response to Office Action dated June 24, 2009

#### **REMARKS/ARGUMENTS**

Applicants have received and carefully reviewed the Office Action of the Examiner mailed June 24, 2009. Claims 1-12 have been allowed. By this Amendment, only allowed claims 1-12 remain pending. Rejected claims 13-40, and 42-43 have been canceled without prejudice.

#### <u>Allowable Subject Matter</u>

In paragraph 7 of the Office Action, the Examiner indicated that claims 1-12 are allowed. All other claims, namely claims 13-43, have been canceled without prejudice. As such, this application is believed to be in condition for allowance.

# Rejection under 35 U.S.C. § 112

In paragraph 3 of the Office Action, the Examiner rejected claims 25-40 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully disagree with this rejection. However, in order to expedite the issuance of a patent, claims 25-40 have been canceled without prejudice, rendering the rejection moot.

# Rejection under 35 U.S.C. § 102(e)

In paragraph 5 of the Office Action, the Examiner rejected claims 13-24, 42 and 43 as being anticipated by Rosen et al (U.S. Patent No. 7,156,318). Applicants respectfully disagree with this rejection. However, in order to expedite the issuance of a patent, claims 13-24, 42 and 43 have been canceled without prejudice, rendering the rejection moot. Applicants reserve the right, however, to pursue claims 13-24, 42 and 43 in a subsequently filed continuation application, if desired.

# <u>Conclusion</u>

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In light of the above remarks, all pending claims 1-12 are believed to be in condition for allowance. Reconsideration is respectfully requested. If a telephone interview would be of assistance, the Examiner is encouraged to contact the undersigned attorney at 612-359-9348.

Date: September 24, 2009

Respectfully Submitted,

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